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December 4, 2005

Commissioner for Patents  
Box: 1450  
Alexandria, VA 22313-1450

RE: APPLICATION OF JOHS ET AL. TITLED "DISCRETE POLARIZATION  
STATE SPECTROSCOPIC ELLIPSOMETER SYSTEM, AND METHOD OF USE":  
SERIAL NO. 10/613,118;  
FILE DATE: 07/07/2003;  
ART UNIT: 2877;  
EXAMINER: PHAM.

Dear Sir;

I am in receipt of a Notice of Restriction dated 11/30/05,  
regarding the identified Application.

The Examiner has identified Claim Groups:

1-28 and 30; and  
29;

and required an election and designation of a Species.

Applicant Provisionally Elects Claims 1 - 28 and 30, and  
elects Figs. 3d and 1b as the Species. The Election is  
Traversed as Claim 29 recites the structure of Fig. 3d, as do the  
Elected Claims.

Sincerely,

JAMES D. WELCH  
JW/hs

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS TRANSMITTAL IS BEING DEPOSITED WITH  
THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE FOR  
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PATENTS, BOX: 1450, ALEXANDRIA VA. 22313-1450 ON THE DATE  
INDICATED BELOW.

JAMES D. WELCH

12/07/05  
DATE